

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

THOMAS OSBORNE and JEAN MARIE)
OSBORNE, individually and as Guardians)
ad Litem for the minor child, Thomas)
William Osbourne,)

Plaintiffs,)

vs.)

Civil Action No.: 4:08-cv-0490

MARINA INN @ GRANDE DUNES, LLC;)
THE MARINA INN AND VILLAS AND)
CONDOMINIUM ASSOCIATION, INC.;)
GRANDE DUNES DEVELOPMENT CO.,)
LLC; DUNN SOUTHEAST, INC., d/b/a)
R.J. GRIFFIN & COMPANY; GRANDE)
DUNES PROPERTIES, LLC;)
BURROUGHS & CHAPIN COMPANY,)
INC.; BURROUGHS & CHAPIN)
REALTY, INC. d/b/a PRUDENTIAL)
BURROUGHS & CHAPIN, INC.; AND)
GRAND DUNES RENTAL)
MANAGEMENT CO., LLC,)

Defendants.)

ORDER

The plaintiffs filed this civil action on February 9, 2008. (Doc. #1). The case was referred to Magistrate Judge Thomas E. Rogers, III, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(c), DSC.

This matter now comes before this Court for review of the Amended Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. #47). On August 28, 2009 the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that defendants Marina Inn @ Grande Dunes, LLC, the

Marina Inn Villas and Condominium Association, Inc., Grande Dunes Development Company, LLC, Grande Dunes Properties, LLC, Burroughs & Chapin Company, Inc., Burroughs & Chapin Realty, Inc. d/b/a Prudential Burroughs & Chapin Realty, Inc., and Grand Dunes Rental Management Company, LLC's (Grande Dunes Defendants) Motion to Compel Arbitration, (Doc. #12), be granted; that defendant Dunn Southeast Inc., d/b/a R.J. Griffin and Company's motion to stay and compel arbitration, (Doc. #18), be granted; and that this action be dismissed. The plaintiffs filed no objections to the report. Objections were due on September 17, 2009.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report of a Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED**. (Doc. #47). For the reasons articulated by the Magistrate Judge, the Grande Dunes defendants' motion to compel arbitration, (Doc. # 12), is **GRANTED**; defendant Dunn Southeast Inc., d/b/a R.J. Griffin and Company's motion to stay and compel arbitration, (Doc. #18), is **GRANTED**; and this action is, hereby, **DISMISSED**.

In light of the plaintiffs' election to continue with current counsel following the Magistrate Judge's issuance of an Order Staying the Case for 45 days to allow the plaintiffs to obtain new counsel, (Doc. #38), the plaintiff's motion to voluntarily dismiss this action pursuant to Rule 41,

(Doc. # 36), is dismissed as **MOOT**.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

September 23, 2009
Florence, South Carolina